



8 0 1 1 3 1 9

Tx:4008511

2011R-005397

PATRICIA A BROOKS

WARRICK COUNTY RECORDER

RECORDED AS PRESENTED ON

07/08/2011 1:22 PM

REC FEE: 0.00

PAGES: 3

Ordinance NO: 2011-14

An ordinance to vacate public right of way known as **IVY STREET** in Warrick County, Indiana.

**Be it ordained by the Board of Commissioners of Warrick County, Indiana, as follows, to wit:**

Section 1 A verified petition was presented to the Board of Commissioners of Warrick County requesting that the right-of-way known as Ivy Street be vacated.

Section 2 That after due and proper notice a timely public hearing was convened by the Board of Commissioners, at which time all interested persons were permitted to address regarding said vacation.

Section 3 That the Board of Commissioners of Warrick County, after due investigation and consideration has determined that the nature and extent of the public use and the public interest to be observed is such as to warrant the vacation of that part of the public ways or public places described as follows: and further described with the drawing attached hereto, which is made a part of this ordinance.

Ivy Street located between Angel Drive and Oak Street and between lots 39 and 40 In Sunnymead Subdivision Section B as recorded in plat book 4 page 420 and further described as follows: Inst #50198

BEGINNING AT THE SOUTHWEST CORNER OF LOT 39 IN SUNNYMEADE SUBDIVISION AS RECORDED IN PLAT BOOK 4 PAGE 420 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA ; THENCE NORTH 00 DEGREES 05 MINUTES 48 SECONDS WEST ALONG THE EAST RIGHT OF WAY OF IVY STREET AND THE WEST LINE OF LOT 39 A DISTANCE OF 221.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 39; THENCE NORTH 89 DEGREES 06 MINUTES 21 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY OF ANGEL DRIVE 50.01 FEET TO THE NORTHEAST CORNER OF LOT 40; THENCE SOUTH 00 DEGREES 05 MINUTES 48 SECONDS EAST ALONG THE EAST LINE OF LOT 40 AND THE WEST RIGHT OF WAY OF IVY STREET 221.97 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 06 MINUTES 21 SECONDS EAST ALONG SAID SOUTH LINE 50.01 FEET TO THE POINT OF BEGINNING.

Therefore, the Board of Commissioners of Warrick County, Indiana does hereby find that the above described public ways are no longer required for public use and the public interest will be served by such vacation, and the Board of Commissioners of Warrick County does hereby vacate the public ways described in Section 3 above subject to the terms and conditions as stated of this ordinance.

**Board of Commissioners for Warrick County, Indiana**

Don Wilkin  
President

Tim Murphy  
Vice President

Mark Washett  
Member

Attest: W. Dugan  
County Auditor

Date: 07-07-11

This document was prepared by Mark A. Chamness, Chamness Land Surveying.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Mark A. Chamness


BEFORE THE BOARD OF COMMISSIONERS OF WARRICK COUNTY  
PETITION FOR THE VACATION OF PUBLIC WAYS

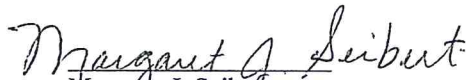
ORDINANCE NUMBER \_\_\_\_\_

PETITIONERS: EDWARD J. JR. AND MARGARET J. SEIBERT  
8277 ANGEL DRIVE, NEWBURGH, IN 47630

- 1) Petition is hereby made for the vacation of the following described right-of-way in Warrick County, Indiana, to-wit: (See attached description and exhibit A)
- 2) Petitioners own the real estate wherein the described easement is sought to be vacated. Petitioners seek to vacate this right-of-way to allow for more usable area within the lots.
- 3) The names and addresses of the persons, in addition to the petitioners who own the property, adjoining the property within 200 feet of the property to be vacated by this petition are listed: (See attached exhibit B)
- 4) Attached to this petition is the location map (Exhibit A) which more particularly identifies the area sought to be vacated by this petition. Filed concurrently herewith is a completed ordinance respecting the proposed vacation, notices to landowners whose land adjoins the property to be vacated and notice by publication for publication one time in a newspaper of general circulation in the city.

Dated this 18 day of May, 2011.

  
Edward J. Seibert, JR.

  
Margaret J. Seibert

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF WARRICK )

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Edward J. Seibert, Jr. and Margaret J. Seibert, who acknowledge the execution of the above and foregoing petition.

Witness my hand and Notarial Seal this 18<sup>th</sup> day of May, 2011

  
Notary Public

Mark A. Chamness

Notary is a resident of Spencer County, Indiana. My commission expires May 17, 2017



PUBLIC NOTICE

*ORIGINAL*

STATE OF INDIANA  
COUNTY OF WARRICK

IN THE MATTER OF THE VACATION OF A PUBLIC STREET RIGHT-OF-WAY IN  
WARRICK COUNTY, INDIANA

NOTICE OF A HEARING ON PETITION TO VACATE A DEDICATED PUBLIC  
STREET RIGHT-OF-WAY

Notice is hereby given that the Board of Commissioners of Warrick County, Indiana, will on the 13<sup>th</sup> day of June, 2011, at 4:00, in the Commissioners Meeting Room, Third Floor, Courthouse, Boonville, Indiana, will hold a hearing on the petition on, Edward J. Jr. & Margaret J Seibert to vacate a dedicated public road right-of-way located in Warrick County, Indiana, which public road right-of-way is more particularly described as follows:

All of Ivy Street located between Angel Drive and Oak Street and between lots 39 and 40 in Sunnymead Subdivision Section B as recorded in Plat Book 4, Page 420 in the office of the Recorder of Warrick County, Indiana.

Beginning at the southwest corner of said lot 39; thence north 00 degrees 05 minutes 48 seconds west along the east right-of-way of Ivy Street and the west line of lot 39 a distance of 221.97 feet to the northwest corner of said lot 39; thence north 89 degrees 06 minutes 21 seconds west along the south right-of-way of Angel Drive 50.01 feet to the northeast corner of said lot 40; thence south 00 degrees 05 minutes 48 seconds east along the east line of lot 40 and the west right-of-way of Ivy Street 221.97 feet to a point on the south line of the northeast quarter; thence south 89 degrees 06 minutes 21 seconds east along said south line 50.01 feet to the point of beginning.

Subject to all easements, rights-of-way and restrictions of record.

A copy of such petition is on file in the office of the Auditor of Warrick County, Indiana and may be inspected during office hours.

All persons having an interest in the proposed vacation will be given an opportunity to be heard.

  
Auditor, Warrick County, Indiana

## ADJOINING PROPERTY OWNERS

*ORIGINAL*

Davis, Jeffrey B & Pennie J  
8255 Angel Dr  
Newburgh, IN 47630

Rheinhardt, Jack W & Lisa A  
8233 ANGEL DR  
NEWBURGH, IN 47630

Alderson, Rick W & Evangeline C  
8388 Oak St  
Newburgh, IN 47630

Pund, Frank A & Mary Yvonne  
8299 Angel Dr  
Newburgh, IN 47630

Knowles, Ronald K & Bonnie L  
Po Box 52  
Newburgh, IN 47629

Weaver, Sam  
6066 Jenner Rd  
Boonville, IN 47601

Held, George D & Charlotte  
4841 E VIRGINIA ST  
Evansville, IN 47715

Heathcott, Charles R Jr & Mary Joyce  
8244 Angel Dr  
Newburgh, IN 47630

Chinn, Michael O & Eva  
8266 OAK ST  
NEWBURGH, IN 47630

Callis, Richard A & Joyce A  
8355 Paulie Dr  
Newburgh, IN 47630

